MAR 1 8 2004

OFFICE OF PETITIONS



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Dezsö et al.

Examiner:

Unassigned

Serial No.:

10/018,639

Group Art Unit:

Unassigned

Confirmation No:

Unassigned

Docket:

442-134 PCT/US

Filed:

December 19, 2001

Dated:

March 11, 2004

For:

CONNECTING DEVICE

FOR FLUIDS

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on March 11, 2004

PETITION UNDER 37 C.F.R. 1.181 TO WITHDRAW HOLDING OF ABANDONMENT-OFFICE ACTION NOT RECEIVED

Sir:

Applicants hereby petition the United States Patent and Trademark Office to withdraw the holding of abandonment in the above-identified patent application, on the grounds that the Notification of Missing Requirements (Notification) forming the basis for abandonment was not received.

In response to the Notice of Abandonment Under 37 CFR 1.53(f) Or (g), dated March 1, 2004, Applicants submit the following:

Copy of the Notice of Abandonment Under 37 C.F.R. 1.53(f) or (g); 1.

Internal languages

- Response to the Notification of Missing Requirements including: 2.
 - a) Copy of the Notification of Missing Requirements;
 - b) A Combined Declaration and Power of Attorney executed by the inventors;

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Application No.: 10/018,639 Filing Date: December 19, 2001 Docket No.: 442-134 PCT/US

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c) An Assignment of Invention and Recordation Form Cover Sheet; and

d) A check in the amount of \$170.00 (\$130.00 for filing Combined Declaration later than 30 months after the priority date and \$40.00 for Assignment Recordation Fee);

- Declaration of Rose Schifano, with Exhibit A attached thereto, in Support of Applicants' Petition; and
- Declaration of Danielle Pastore, with Exhibits B and C attached thereto, in Support of Applicants' Petition.

The Notice of Abandonment dated March 1, 2004 indicates that on February 6, 2002 an Office Action, namely a Notification to File Missing Requirements, was mailed to the Applicants, but the Applicants never responded. Applicants hereby state that the subject Notification was not received by Applicants' attorneys of record. Applicants have searched the file jacket of the above-identified patent application and the docket records and mail log lists maintained by the offices of Hoffmann & Baron, LLP, attorneys for Applicants, and have confirmed that the Notification was not received.

It is our office policy to attach all correspondence from the United States Patent and Trademark Office to the file jacket of the Hoffmann & Baron file to which the correspondence pertains. Applicants' attorneys have searched through the contents of the file jacket of Hoffmann & Baron File No. 442-134 PCT/US, pertaining to the above-identified patent application, and I have not found the subject Notification dated February 6, 2002.

Furthermore, it is our office policy to record all incoming mail according to the Hoffmann & Baron file number to which the incoming mail pertains. The enclosed

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Declaration of Rose Schifano, with Exhibit A attached thereto, shows that no mail was received by this office for the subject application between February 6, 2002 and March 8, 2002. It is respectfully submitted that if the Notification, dated February 6, 2002, had been received, it would have been recorded on the mail log list shown in Exhibit A to Ms. Schifano's Declaration. (Kindly note that there are no entries for "442-134 PCT/US" on the mail log lists of Exhibit A.)

Finally, it is also our office policy that if any Office Action is received by Hoffmann & Baron, LLP, the due date for responding to the Office Action is entered into our docketing system according to the relevant file number to which the Office Action pertains. The enclosed Declaration of Danielle Pastore, with Exhibits B and C attached thereto, shows that no docketing entries were made with respect to Hoffmann & Baron File No. 442-134 PCT/US. It is respectfully submitted that if the subject Notification, dated February 6, 2002, was received by our office, an entry would have been made in both our computer docketing system and our manual back-up docketing system for a response to be filed on April 6, 2002. Exhibits B and C to Ms. Pastore's Declaration show that no such docketing entries were ever made.

Applicants respectfully submit that the foregoing proves that the Notification of Missing Requirements, dated February 6, 2002, was never received by Applicants attorneys of record. Upon receiving the present Notice of Abandonment, Applicants' attorneys contacted the PCT Initial Patent Examination Division and have since obtained a copy of the missing Notification.

Together with this Petition, Applicants now file a Response to the Notification in

Application No.: 10/018,639 Filing Date: December 19, 2001 Docket No.: 442-134 PCT/US

Page 4

which Applicants submit a Combined Declaration and Power of Attorney executed by the inventors, along with the fee for filing a late Declaration. Accordingly, Applicants respectfully request withdrawal of the holding of abandonment in this case.

It is believed that no fee is due for the herein petition under 37 CFR 1.181 to withdraw the holding of abandonment. If however it is deemed that any fees are required, please charge any additional fees or credit any overpayment to deposit account no. 08-2461.

In considerations of these submissions, it is respectfully requested that the holding of abandonment be withdrawn.

Respectfully submitted,

Steven T. Zuschlag Registration No. 43,309

Attorney for Applicant

HOFFMANN & BARON, LLP 6900 Jericho Turnpike Syosset, New York 11791 (516) 822-3550 STZ:kas

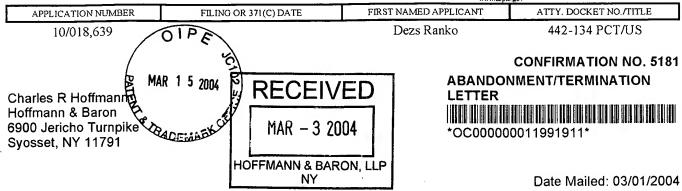






United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PO. Dox 1450 Alexandria, Voginia 22313-1450



NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely of the Police to File Missing Parts (Notice) mailed on 02/06/2002.

MAR 1 8 2004

No reply was received.

OFFICE OF PETITIONS

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Dezsö et al.

Examiner:

Unassigned

Serial No.:

10/018,639

Group Art Unit: Unassigned

Confirmation No:

Unassigned

Docket:

442-134 PCT/US

Filed:

December 19, 2001

Dated:

March 10, 2004

For:

CONNECTING DEVICE

FOR FLUIDS

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

DECLARATION OF ROSE SCHIFANO IN SUPPORT OF APPLICANTS' PETITION

I, the undersigned, Rose Schifano, declare as follows:

- This Declaration is given as proof of certain pertinent facts asserted in the accompanying 1. Petition Under 37 C.F.R. 1.181 To Withdraw Holding of Abandonment-Office Action Not Received in connection with the above-referenced patent application.
- 2. I am an Administrative Assistant employed by the attorneys for the Applicants, Hoffmann & Baron, LLP, 6900 Jericho Turnpike, Syosset, New York 11791 and I am in charge of recording all of the incoming mail for our office.
- It is our office policy that any incoming mail received by Hoffmann & Baron, LLP 3. relating to any Hoffmann & Baron file is recorded in the mail log list according to the file docket number to which the mail relates.
- 4. Attached hereto as Exhibit A is a true and accurate copy of the mail log list providing a record of mail received by Hoffmann & Baron, LLP from February 6, 2002 to March 8, 2002.
- 5. The mail log list attached hereto as Exhibit A indicates that no mail was received for File No. 442-134 PCT/US from February 6, 2002 to March 8, 2002.

6. I hereby declare that all statements made herein of my knowledge are true and all statements made on information and belief are believed to be true. Further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Date:	3/10/04	Signature:

Rose Schifang

Administrative Assistant

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Date: 2/6/02
Page ____ of ____

						
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Page <u>4</u> of <u>3</u>

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Page 2 of 2

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Docket No.	Attn'y	File Drawer	Typing Table	Attn'y Office	Return
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	Page 2	of 2

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Date: 2/19/02 Page ____ of ____

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Page 2 of 4

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858-5 CHINA (1239-5 CHIM)	(L) 2/19				
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1181-14 DES					
1192-3 PATCAMANA		V,			
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11928 PG/BRAYL	(RCD) 2/19		-		
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577- 471	RGS	V			
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178-219 POTEDO EME, USA		مسا			
178-223 PG NEW 2WALDEN	SAS	(2 Z)			
178-241 POTTAPAN	a	L			•
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334-16 CANADA		/			
334-43 CANADA		1/			
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334-196 CANOPA					
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136-25 PG/OAPI	RJB	~			
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194-77	RAB	V			
331 - 3 CIP	ATR			,	
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178-138-CIPIS Pain					
178-218 pet So. Korea.	<i>523</i>				
278-2 Canada					
334-82 con	GTB				
362-59 petlus					
369-155 Japan	52B		*		
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587-42 pct uK	RJB	X	•		
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695-15 malaysia	CL	<u>. </u>			
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Docket No.	Attn'y	File Drawer	Typing Table	Attn'y Office	Return To
136-26 POT/AUSTRALIA	ROB	1			
178-90 CANMA "	KEM				
178-202					:
178-244 PCPANTRAMA	Ros				
178-246. POT/AUSTRAIN				,	·
178-260 PM NUMA		· ~			
HE-261 POTALITHALW					
178-263 PG/AVIMANIA					
294-112 pc/us			m.		- :
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369-123 CIPTE POT ANDRALA					
369-155 AUTRALIA			,		
369-160 AUSMACIA					
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178 - 104 334 - 176 850 - 3	Docket No.	Attn'y	File Drawer	Typing Table	Attn'y Office	Return To
850 -3	178-104					
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102-467 CANADO.		/			
178-200 PCT/SOUTH KAREA.	RB		-		
178-219 PATHO.	(JE) 3:11				
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194-83 DIV	PB	V.			
294-100	(A) 3/1				
294-56 FUCKUS POSTE		· /			
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294-107 PETUS		V.		-	
334-42 DAPAN SW		1			·
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442 - 107 POTUS					
527-207	ATK		•		
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577 - 570	STA		·		·
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717 - 478					
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955 - 16	(AA) 2/4				
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PATENT



Applicants:

Dezsö et al.

Examiner:

Unassigned

Serial No.:

10/018,639

Group Art Unit:

Unassigned

Confirmation No:

Unassigned

Docket:

442-134 PCT/US

Filed:

December 19, 2001

Dated:

March 10, 2004

For:

CONNECTING DEVICE

FOR FLUIDS

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

DECLARATION OF DANIELLE PASTORE IN SUPPORT OF APPLICANTS' PETITION

I, the undersigned, Danielle Pastore, declare as follows:

- 1. This Declaration is given as proof of certain pertinent facts asserted in the accompanying Petition Under 37 C.F.R. 1.181 To Withdraw Holding of Abandonment-Office Action Not Received in connection with the above-referenced patent application.
- 2. I am a docketing clerk employed by the attorneys for Applicants, Hoffmann & Baron, LLP, 6900 Jericho Turnpike, Syosset, New York 11791 and I am responsible for maintaining the office's docketing records.
- 3. It is our office policy that any Office Action received from the United States Patent and Trademark Office, which requires a response, is docketed within both our computer and manual docketing systems according to the response's due date.
- 4. Attached hereto as Exhibit B is a true and accurate copy of a computer generated docket page for Hoffmann & Baron File No. 442-134 PCT/US, pertaining to the above-identified application.
- 5. If our office had received a Notification of Missing Requirements dated February 2, 2002, with respect to File No, 442-134 PCT/US, and having a two-month period to respond, an entry for an April 6, 2002 response date would have been made in the "Actions" section of the docket page shown in Exhibit B

- 6. Attached hereto as Exhibit C is a hand-written docket sheet for April 6, 2002. (Handwritten docket sheets are used by our office as a back-up to our computer docketing system.)
- 7. If a Notification of Missing Requirements with a response due date of April 6, 2002 was received by our office with respect to File No. 442-134 PCT/US, a hand-written entry would have been additionally made on the docket sheet shown in Exhibit C attached hereto.
- 8. The docket records attached hereto as Exhibits B and C indicate that the Notification of Missing Requirements dated February 6, 2002, was never received.
- 9. I hereby declare that all statements made herein of my knowledge are true and all statements made on information and belief are believed to be true. Further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Date: _____31004

Signature:

Danielle Pastore Docket Clerk

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03/04/2004

Patent Information Print

Internal Number	442-0139	Grant Dt	
Country	United States	Publication #	
Case Type	Regular	Publication Dt	
Relation Type	Original Filing	Assigned	
Filing Type	National	Expiration Dt	
Filing No		Conv Type	
Attorney	Charles R. Hoffmann	Tax Base Dt	
Foreign Agent		Type of matter	
Client	Magenbauer & Kollegen	Next Tax Dt	
Current Owner	Festo AG & Co	Atty 2	Steven T. Zuschlag
Prev Own		Atty 3	
Docket Number	442-134 PCT/US	Atty 4	
Status	Filed	Atty 5	
First Filing Dt	05/03/2000	Current Owner 2	
Sub Stat	•	Current Owner 3	
Sub Stat Dt	12/10/2001	Current Owner 4	
Parent Country	Germany	Current Owner 5	
Parent Filing Dt	05/03/2000	Client Ref. No	P19095/PCT-U
Parent No	20007980.8	Verified	N
Parent Grant Dt	2000.30012	Customer	HWPP
Total Claims	•	Create Dt	12/10/2001
Ind. Claims		Update Dt	04/07/2003
Application #	10/018,639	Update Tm	1120
Application Dt	12/19/2001	Update User	KJD
Patent No	12/13/2001	Update Type	A
Patent NO		opdate Type	A
	Actions		
Action	Publication not applicable	Resp Atty #1	
	11/03/2001	Resp Atty #2	
Act Due Date	*, *,	RESP ACCY #2	
Comp Dt	11/03/2001		
Action	Info Diggl Statement Dug	Pogn Atty #3	
Action	Info Discl. Statement Due	Resp Atty #1	
Act Due Date	03/19/2002	Resp Atty #2	
Comp Dt	12/19/2001		
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Action		Resp Atty #1	
Act Due Date	04/19/2002	Resp Atty #2	
Comp Dt	04/19/2002		
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Action	Petition For Exam	Resp Atty #1	
Act Due Date	05/03/2003	Resp Atty #2	
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Action	No Foreign Filing	Resp Atty #1	
Act Due Date		Resp Atty #2	
Comp Dt			
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Action	Preliminary Amendment filed	Resp Atty #1	
Act Due Date		Resp Atty #2	
Comp Dt	12/19/2001		
Action	IDS Filed	Resp Atty #1	
Act Due Date		Resp Atty #2	
Comp Dt			
	Descripti	on	
December 10.			
Description	/ · ·		

Description Client's Ref: P19095/PCT-US-leri

PCT/EP01/04776 Filed: April 27, 2001

Inventors

Inventor

Istvan Jozsef

Inventor

Dezso Ranko

Title

Title

Connecting Device For Fluids

OA313 H (Resp to OA due

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